

REMARKS/ARGUMENTS

Favorable reconsideration of this application in view of the above amendment and following remarks is respectfully requested.

Claims 20, 22-36, 38, and 39 are pending. In the present amendment, Claims 20, 22-27, 29-32, 35, 36, and 38 are currently amended, Claims 21 and 37 are canceled without prejudice or disclaimer, and new Claim 39 is added. Support for the present amendment can be found in the original specification, for example, at page 3, lines 4-6, at page 6, lines 32-38, at page 9, lines 34-38, at page 12, lines 4-8, and in original Claims 21 and 37. Thus, it is respectfully submitted that no new matter is added.

In the outstanding Office Action, Claims 20 and 36 were objected to; Claims 20-23, 26, 29-32, and 36-38 were rejected under 35 U.S.C. § 102(b) as anticipated by Sherts (U.S. Patent No. 2,359,163); Claims 20, 33, and 35 were rejected under 35 U.S.C. § 102(b) as anticipated by Liu (U.S. Patent No. 6,098,364); Claims 20, 21, 23, 25, and 28 were rejected under 35 U.S.C. § 102(b) as anticipated by Florentin et al. (U.S. Patent No. 6,052,965, hereinafter “Florentin”); Claims 20, 21, and 27 were rejected under 35 U.S.C. § 102(b) as anticipated by Kroll (U.S. Patent No. 6,105,327); Claims 20, 21, 23, and 24 were rejected under 35 U.S.C. § 102(b) as anticipated by Selders (European Patent No. 0918119); and Claim 34 was rejected under 35 U.S.C. § 103(a) as unpatentable over Florentin in view of Sufke (U.S. Patent No. 4,793,112).

The specification is hereby amended to add section headings and to delete references to the numbered claims. It is respectfully submitted that no new matter is added.

In response to the objection to Claims 20 and 36, the claims are hereby amended to correct the minor informalities noted by the Office Action. It is respectfully submitted that no new matter is added. Accordingly, it is respectfully requested that the objection to Claims 20 and 36 be withdrawn.

Turning now to the rejections under 35 U.S.C. § 102(b) and 35 U.S.C. § 103(a), Applicant respectfully requests reconsideration of these rejections and traverses these rejections, as discussed below.

Amended Claim 20 recites:

A laminated, plate-shaped element, comprising:

at least a first and a second substrate, which are joined together, at least indirectly, by a layer of thermoplastic or curable casting resin adhesive bonding to form a bonded joint;

at least one support element associated with the first substrate to fasten the laminated element to an infrastructure; and

active position fastening of the second substrate, at least in the event of failure of the bonded joint, wherein

the active position fastening is active, independently of the support element, only between the first and second substrates and is placed a certain distance from edges of the first and second substrates, and

the active position fastening comprises at least one fastening element passing through a plane of a bonded assembly between the first and second substrates and engaging in a recess in each of the first and second substrates.

Amended Claim 20 recites subject matter from original Claim 21 and describes a laminated, plate-shaped element having substrates joined by an adhesive bonding layer which is likely to yield via a creep process, while retaining a residual adhesion. It is respectfully submitted that the cited references do not disclose or suggest every feature recited in amended Claim 20.

Sherts describes a double glazed closure unit 10 in which safety glass panels 14, 15 are spaced to form an air chamber between them. Organic plastic is used as an interlayer material and glass plates 19 (acknowledged in the Office Action as corresponding to the claimed first and second substrates) are bonded to opposite sides of the interlayer 17. However, Sherts does not disclose a support element associated with the first substrate. In

Sherts, fasteners 25 are received in holes of frame elements 24 clamped upon extensions 20 of the interlayer 17 and thus, the fasteners 25 do not interact with the first substrate 19. Accordingly, Applicant respectfully requests that the rejection of Claim 20, and all claims which depend thereon, as anticipated by Sherts be withdrawn.

Liu describes a prefabricated outer wall structure that includes an inner unit 11, an outer surface of which is adhered to an outer wall unit 13. The Office Action acknowledges the inner and outer wall units 11, 13 as the claimed first and second substrates. Figure 1 of Liu shows a hook plate 22 placed between the inner and outer wall units 11 and 13. However, the hook plate 22 does not pass ***“through a plane of a bonded assembly between the first and second substrates*** and engaging in a recess in each of the first and second substrates,” as recited in amended Claim 20. Accordingly, Applicant respectfully requests that the rejection of Claim 20, and all claims which depend thereon, as anticipated by Liu be withdrawn.

Florentin describes glass sheets 2, 3 (acknowledged in the Office Action as corresponding to the claimed first and second substrates) welded together by means of an inorganic seal 6, which is not subject to creep at room temperature.<sup>1</sup> Florentin does not disclose or suggest “a first and a second substrate, which are joined together, at least indirectly, by a layer of thermoplastic or curable casting resin adhesive bonding to form a bonded joint,” as recited in amended Claim 20. Instead, the glass sheets 2, 3 in Florentin are welded together by means of a heated bead of glass frit.<sup>2</sup> Accordingly, Applicant respectfully requests that the rejection of Claim 20, and all claims which depend thereon, as anticipated by Florentin be withdrawn.

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<sup>1</sup> See Florentin, at col. 8, lines 45-47.

<sup>2</sup> See Florentin, at col. 9, lines 4-9.

Kroll describes members 14, 28, 38 of a panel structure 10A combined by a fastening means 56, and not by adhesive bonding. However, Kroll does not disclose or suggest “a first and a second substrate, which are joined together, at least indirectly, by a layer of thermoplastic or curable casting resin adhesive bonding to form a bonded joint,” as recited in amended Claim 20. Instead, adhesive bonding in the form of a glue layer 22 is used only for attaching the first member 14 to the infrastructure wall 12. Accordingly, Applicant respectfully requests that the rejection of Claim 20, and all claims which depend thereon, as anticipated by Kroll be withdrawn.

Selders describes a support bolt 7 provided to fasten the laminated element 10 to an infrastructure. However, Selders does not disclose or suggest “active position fastening of the second substrate, at least in the event of failure of the bonded joint, wherein the active position fastening is active, independently of the support element, only between the first and second substrates,” as recited in amended Claim 20. Instead, the support bolt 7 in Selders is not active independently of the support element and only between the first and second substrates 11, 12. Accordingly, Applicant respectfully requests that the rejection of Claim 20, and all claims which depend thereon, as anticipated by Selders be withdrawn.

Independent Claim 36 recites, in part, “the active position fastening is active, independently of the support element, only between the first and second substrates and is placed a certain distance from edges of the first and second substrates, and the active position fastening comprises at least one fastening element passing through a plane of a bonded assembly between the first and second substrates and engaging in a recess in each of the first and second substrates.” Accordingly, in view of the above discussion of Sherts, Liu, Florentin, Kroll, and Selders with respect to Claim 20, it is respectfully submitted that these references, either alone or in any combination thereof, do not disclose or suggest every

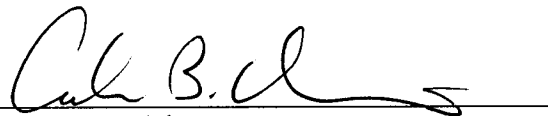
feature recited in amended Claim 36. Thus, Applicant respectfully requests that the rejection of Claim 36, and all claims dependent thereon, be withdrawn.

New Claim 39 is added by the present amendment. Support for new Claim 39 can be found in the original specification, for example, at page 12, lines 4-8. Thus, it is respectfully submitted that no new matter is added. New Claim 39 is dependent on Claim 20, and thus is believed to be patentable for at least the reasons discussed above with respect to Claim 20. Accordingly, it is respectfully submitted that new Claim 39 further patentably defines over the cited references.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. A Notice of Allowance is earnestly solicited.

Respectfully submitted,

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